

Employee Workplace Religious Discrimination Prevention Toolkit:
(Your guide to preventing and identifying religious discrimination in the workplace)

Question:	Answer:
What is religious discrimination?	Religious discrimination involves treating an applicant or employee unfavorably because of his or her religious beliefs.
What is considered a religion?	Religion includes all aspects of religious observance and practice as well as belief. The religion does not have to be a traditional, organized religion such as Buddhism, Christianity, Hinduism, Islam, and Judaism. It may be a completely unique set of beliefs, but those beliefs must be sincere and meaningful and in the life of the believer be on par with that filled by a deity.
What law(s) are violated by religious discrimination?	Religious discrimination violates Title VII of the Civil Rights Act of 1964. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government. In 1972 Title VII was amended to require that employers reasonably accommodate religious practices.
Who is protected against religious discrimination?	Title VII protects not only people who belong to traditional, organized religions, such as Buddhism, Christianity, Hinduism, Islam, and Judaism, but also others who have sincerely held religious, ethical or moral beliefs. A person may also be religiously discriminated against for his or her association with an individual of a particular religion or group even though he or she may not practice that religion.
What course of action should a victim of religious discrimination take?	<ol style="list-style-type: none"> 1. The employee or applicant should first attempt addressing his or her concerns with the alleged offender and inform the harasser that the conduct is unwelcome and must stop immediately. 2. If confronting the alleged offender is ineffective the employee or applicant should report the behavior as soon as possible to a managing official. 3. An employee or applicant may initiate the administrative inquiry process by contacting a supervisor who will conduct an investigation intended to gather information to determine what action, if

	<p>any, should be taken. This information is not intended for legal or criminal prosecution</p> <p>4. Employees and applicants should also maintain a record of relevant events and communications between all parties involved in the event another incident arises and further action is needed.</p>
Is an employee or applicant who brings a religious discrimination harassment claim protected from retaliation/ reprisal?	<p>Yes. The NIH is committed to promoting and maintaining a work environment free from discrimination and retaliation. Reprisal for participation in the EEO process is prohibited. If an employee wishes to file an EEO complaint of reprisal he or she may contact the OEODM office within 45 calendar days of the alleged occurrence(s) of retaliation discrimination.</p>

Area:	Key Points:
Definition of a religion	<ul style="list-style-type: none"> • The EEOC has determined religion typically concerns “ultimate ideas” about “life, purpose, and death.” Social, political, or economic philosophies, as well as mere personal preferences, are not “religious” beliefs protected by Title VII. • Therefore just because a set of beliefs does not bother others does not mean that we must accommodate them they must meet the requirements of what constitutes a religion. The EEOC has struck down instances where a person’s beliefs were single faceted.
General	<ul style="list-style-type: none"> • Title VII covers both traditional and nontraditional religious beliefs including those that are new, uncommon, unaffiliated with a formal religious institution, or seem illogical or unreasonable to others.
Number of believers	<ul style="list-style-type: none"> • A religion is not defined by the number of its followers but the level of sincerity of its believer(s). Therefore, a religion may be followed by a few people or a single person.
Preferences	<ul style="list-style-type: none"> • A person’s preferences, regardless of how strong, are not religious beliefs.
Required religious activity	<ul style="list-style-type: none"> • Religious activity is prohibited as a condition of

	employment- required religious activity.
Level of sincerity	<ul style="list-style-type: none"> A person's level of sincerity is irrelevant in a religious discrimination claim. The issue is whether the person was treated differently for his or her association with a particular religion.

Case Examples

Addresses:	Case
Testimony indicates that the employee was denied a promotion due to her faith.	<i>Winters v. Department of Veterans Affairs</i>
Complainant was subjected to harassment on the basis of his religion when a training instructor made disparaging and stereotypical comments about Muslims.	<i>Rana v. Department of Homeland Security</i>
A personal want or desire, bars a plaintiff from establishing a prima facie case of religious discrimination.	<i>Dachman v. Department of Health and Human Services</i>

Contacts:

(Who to ask about what)

[Resolutions and Equity](#)

[Employee Relations Contacts](#)

[Identify Your Formal Complaints Specialist](#)

[Guidance Contact](#)

[NIH Ombudsman contact](#)

Resources:

(Where to go for more information)

[Title VII of the Civil Rights Act of 1964](#)

[EEOC Religious Discrimination](#)

[EEOC Compliance Manual Section 12: Religious Discrimination](#)

[EEOC Questions and Answers: Religious Discrimination in the Workplace](#)

[DEOMI Religious Accommodation of Civilian Federal Employees](#)